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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 WILLIAM OPP,
17 Defendant.

No. Cr. S 22-144 KJM 1

**NOTICE OF REQUEST TO FILE
DOCUMENTS UNDER SEAL;
[ORDER]**

Judge: Hon. KIMBERLY J. MUELLER

18 Pursuant to Local Rule 141(b), Defendant, WILLIAM OPP, by and through
19 his attorney, David M. Porter, Assistant Federal Defender, respectfully requests an
20 order sealing Mr. Opp's medical records, which are submitted in support of his
21 motion for a sentence reduction, and which were provided to the Court and
22 government counsel. Mr. Opp's medical records are not for public record.

23 These medical records document his medical health conditions while
24 incarcerated. Those records are private information.

25 The sealing is requested pursuant to Eastern District Local Rule 141 and
26 Federal Rule of Criminal Procedure 57(a)(1). The Court has inherent power to seal
27 documents. *See United States v. Gurolla*, 333 F.3d 944 (9th Cir. 2003)
28 (recognizing authority to accept submissions under seal); *see also United States v.*

1 *Hickey*, 185 F.3d 1064 (9th Cir. 1999); *United States v. Hardwell*, 80 F.3d 1471,
2 1483-84 (10th Cir. 1996).

3 The records have been submitted to the Court and government counsel via e-
4 mail pursuant to Local Rule 141(b). The Court may file this Notice in the public
5 record.

6 Date: March 11, 2024

7 Respectfully submitted,

8 HEATHER E. WILLIAMS
9 Federal Defender

10 /s/ David M. Porter

11 DAVID M. PORTER
12 Assistant Federal Defender

13 Attorneys for Defendant
14 WILLIAM OPP

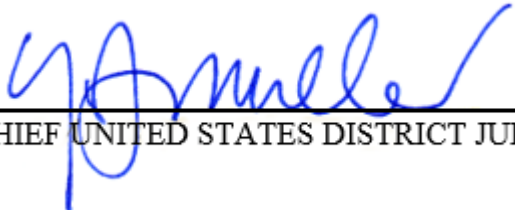
ORDER

Pursuant to Local Rule 141(b) and based upon the representation contained in Mr. Opp's Request to Seal, IT IS HEREBY ORDERED that Mr. Opp's medical records submitted in support of his motion to reduce sentence shall be SEALED until further order of this Court.

It is further ordered that electronic access to the sealed documents shall be limited to the United States and counsel for the defendant. The Court has considered the factors set forth in *Oregonian Publishing Co. v. U.S. District Court for the District of Oregon*, 920 F.2d 1462 (9th Cir. 1990). The Court finds that, for the reasons stated in the Mr. Opp's Request, sealing the defendant's medical records serves a compelling interest. The Court further finds that, in the absence of closure, the compelling interests identified by Mr. Opp would be harmed. In light of the public filing of its Notice to Seal, the Court further finds there are no additional alternatives to sealing the defendant's medical records that would adequately protect the compelling interests identified by Mr. Opp.

IT IS SO ORDERED.

Dated: March 19, 2024.


CHIEF UNITED STATES DISTRICT JUDGE